

ADVISORY COMMISSION ON SPECIAL EDUCATION

**MEETING MINUTES
January 23-24, 2003**

APPROVED 3/28/03

**CALIFORNIA DEPARTMENT OF EDUCATION
1430 N STREET, ROOM 1101
SACRAMENTO, CA 95814**

Thursday, January 23, 2003

Commission Members Present

Patty Boyle	Janet Mangini
Don Burns	Barbara R. Monroe
Patricia Flores-Charter	Don Shalvey
Catherine E. Garbacz, Vice-Chair	Jim Woodhead
Karla Geller	Linda Wyatt
Angela Hawkins, Chair	

Commission Members Absent

Catherine Conrado

Student Member Present

Kevin Verdi

Student Member Absent

Sean Rossall

Legislative Members Absent

Charles Poochigian, Senate Member	Fran Pavley, Assembly Member
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Governor's Office, Deputy of Education K-12, Liaison Absent

Lynn Lorber

State Board of Education Liaison Absent

Robert Abernethy

Department of Education Staff Present

Dennis Kelleher, Staff Liaison	Stacy Michel, Commission Secretary
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Department of Education Staff Present

Alice Parker, Executive Secretary
Director, Special Education Division

Department of Education Staff Absent

Ronald S. Kadish, Director
State Special Schools Division

Thursday, January 23, 2003

CALL TO ORDER

Chair Angela Hawkins called the meeting to order at 8:30 a.m., and Commissioners pledged allegiance to the flag. Roll was taken and a quorum was present.

INTRODUCTIONS/ANNOUNCEMENTS

Two changes to the agenda were made.

- The Commissioners Report will replace announcements.
- Susan Thompson (Riverside Area) will speak on behalf of the California School Nurses Organization (CSNO) on Friday, January 24 at 9:50.

OPERATIONS & PLANNING (O & P) COMMITTEE REPORT

Vice Chair Catherine Garbacz reported on the Operations and Planning meeting held January 22, 2003.

Points of discussion were:

- Was Don Shalvey aware of the O & P meetings?
- Details of legislative visits were discussed and Commissioner Linda Wyatt passed out packets for Commissioners to distribute to the legislators that they will be visiting today. Packets included the Annual Report, a welcome letter, and the Commission goals.
- A discussion of what questions to ask Mary Grady about the second installment of the Commissioners Annual Report.
- Alice Parker discussed the budget.
- Discussed Grant funding and meeting of all the Western States (7 Pak)
- Commissioner Jim Woodhead discussed the revision of the By-Laws. Commissioners Barbara Monroe and Jim Woodhead met and are recommending two revisions. The revisions will be voted on at the February commission meeting.
 - Proposed Revision: Election of Officers: Current language states, "The Nominating Committee shall prepare a {dual} slate of nominees..." and propose the language be changed to "***a ballot of nominees...***"
 - Proposed Revision: Definition of a Quorum: Current language states, "*Eight* of the voting members of the Commission shall constitute a quorum" and propose the language read, "***A majority of the currently appointed*** voting members of the Commission shall constitute a quorum."

COMMISSIONERS' REPORT

Commissioner Patricia Flores-Charter stated that the Governors January 10th budget proposal for the mid year reductions for community college is 10.8%. She stated that Community Colleges took the biggest hit over K-12, University of California (UC) and California State University (CSU). In the proposal, unrepresented groups would receive 46% in budget cuts, in which most of the services are mandated by law.

Commissioner Don Burns has been talking to the new members of the legislature regarding the National Federation of the Blind and brought two proposed pieces of legislation to their attention. The first proposed bill would create a forgiveness loan setup for teachers working to get a Visually Impaired Credential. However, if there is no author. The 2nd piece of legislation was unrelated to Special Education.

Commissioner Jim Woodhead discussed his attendance at the State Board of Education meeting in December. One of the items on the agenda dealt with the California High School Exit Exam. However, Jim was upset as public input was not allowed on this issue. Jim also expressed his concern regarding the State Board of Education Liaison to the Commission not attending the monthly meetings.

Commissioner Barbara R. Monroe discussed a new Charter school in San Leandro. She also spoke to the Chair of the Charter Schools Commission and they discussed meeting with the Advisory Commission on Special Education.

Commissioner Patty Boyle attended the Task Force on Recruitment Preparation and Retention of Special Education Teachers on December 13, 2002. Commissioner Angela Hawkins also attended the meeting. Patty also attended the State Board Meeting on January 8-9, 2003. There was much discussion of the No Child Left Behind (NCLB) and accountability as it related to academic performance standards. NCLB will not accept averaging of student success rates. At this meeting there was a discussion of what standards to come up with to meet the NCLB guidelines for the California Performance Standards and there was talk of aligning the State's Academic Performance Index (API) to the CAHSEE. The Board rejected lowering the standards to obtain 100% proficiency. No school in California currently meets the NCLB definition of success. The Board is implementing a program regarding the CAHSEE. Districts that are currently doing well will be helping districts that are not doing so well. The waivers that are currently being granted by the State Board will in the future be granted by the local education area. The students' transcripts will note that there were accommodations and waivers for the CAHSEE. Erica Hoffman is no longer employed by the state. She is now with Los Angeles Unified School District. She has been replaced by Teri Burns. Alice Parker spoke about need for clarification about Special Education Local Plan Areas (SELPA) paying for Charter Schools. Patty also attended the Individualized Education Program Task Force meeting on January 22, 2003.

Commissioner Angela Hawkins was asked to write a letter on the effects on the CAHSEE at the local level. It does not reflect the position of the Commission. Don Shalvey was also introduced.

M/S/C 03-01-01

**MOVE TO WRITE A LETTER DESCRIBING THE COMMISSION POSITION ON THE
CALIFORNIA HIGH SCHOOL EXIT EXAM ADDRESSED TO LEGISLATIVE MEMBERS,
STATE SUPERINTENDENT, AND THE STATE BOARD
Woodhead/Monroe**

The motion passed unanimously.

PRESENTATION: Legislative Update, Paul Hinkle, Consultant, California Department of Education

Paul Hinkle discussed the Governor's major Budget Adjustments for Special Education. The IDEA reauthorization legislation will likely exclude 3 issues, discipline, vouchers, and the full funding issue. \$115.6 million federal fund increase for Special Education; \$44 million Proposition 98 augmentation to Special Education for the purpose of restoring the remaining portion of the 2002-03 across-the-board reduction and for paying the deferred amount; 12.8 million in Proposition 98 increase for Special Education, including 37.2 million for program growth, offset by 23.6 million to reflect an increase in property tax revenues; and 9 million Proposition 98 in one-time funds to fund the 2001-02 deficit in Special Education due to current year ADA increases. A handout was given.

The Commission recessed for meeting with Legislative Members at Capitol.

REPORT: Special Education Division, Dr. Alice Parker, Director of Special Education, California Department of Education

Alice Parker stated that the majority of the local plans have been received. Self-reviews have also been received, analyzed corrective action approved, or corrected and staff is working on follow-up. Training for 234 school districts included a look at educational benefit and procedural guarantee. Those districts who are in the coordinated compliance review cycle will be examining ten student files. Alice met with

42 Superintendents from districts who had the lowest key performance indicators to develop and application for and apply for a grant to be a new co-board of facilitated districts in our focused monitoring. Alice will bring info next month on the districts. Alice is on the National File Format Expert panel for California and National Association of State Directors of Special Education (NASDSE) Board.

The goals are

- to ensure that students with disabilities are provided with equivalent access to instructional materials at the same time as there non-disabled peers
- curriculum materials under consideration are textbooks and related printed materials work books, activity books

The California Department of Education prevailed in the San Diego lawsuit.

PUBLIC INPUT: Sue Kawasaki, California Association of Resource Specialists

Sue presented 3 issues of the CARS + Newsletter. A convention is February 21-22, 2003 at the Fairmont Hotel in San Jose. Registration is free for Commissioners.

PRESENTATION: Update on the California Alternate Performance Assessment (CAPA), Lalit Roy, Manager, California Department of Education

Lalit discussed that in order to meet the requirements of the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind Act (NCLB). California must show evidence that all students are included in our statewide assessment and accountability system. The California Department of Education (CDE) was required to develop and implement an alternate assessment for children with disabilities who cannot take part in general statewide assessment programs. The California Alternate Performance Assessment (CAPA) will become part of California's Standardized Testing and Reporting (STAR) and will meet the requirement for an alternate assessment. The web address

<http://www.cde.ca.gov/spbranch/sed/capa/index.htm> .

There is a DVD available that will be sent to all Commissioners.

The decision to place a student in CAPA Level I must be made by the IEP team, based on the student's strengths and weaknesses (For the 2002-2003 implementation year only: If the annual IEP meeting will not be held prior to the March 2003 CAPA testing date, the teacher or case carrier, in consultation with other professionals and the student's parents, can make the CAPA level determination. Though it may be anticipated that a student will continue to take the CAPA Level 1 throughout his/her K-12 education, the IEP team must reevaluate this decision each year. The decision to move a student from Level 1 to his/her grade-assigned CAPA level should be based on both the student's CAPA performance from the previous year and classroom assessments. In cases where the student has uneven development (e.g. some early literacy skills, but significantly delayed personal-care skills), the IEP team should consider placing the student in his/her grade-assigned CAPA level in order to provide an optimal challenge to the student.

PRESENTATION: CAPA Update from the Field, Angela McNeece, Director of Special Education, Imperial County Office of Education, and Larry Belkin, Chief, Division of Special Education Services, Orange County Department of Education

Angela McNeece discussed the field's point of view of the CAPA. A video was shown of the administration of the CAPA. Larry Belkin discussed the difficulties in testing children with cognitive disabilities. Concerns continue to center around the validity of the assessment the cost of training, purchasing of materials, providing additional staff for reliability check, loss of instructional time, how a standardized assessments fits into the IEP process, and the assessment benefit to the student and families. Belkin also addressed such issues as cost of materials, inconsistency in administration of each task and, specific questions unrelated to educational benefit of the child and wished for more research before the

CAPA is implemented into the testing system. McNeece closed the presentation by stating that the state should be aware of the cost as well as that other states are looking at CA testing process.

A commissioner's discussion of the CAPA followed which raised the following points. Since there had been many issues raised by the California Department of Education and Special Education Administrators of County Office presenters, ACSE intended to monitor the future development and administration of the CAPA.

REPORT: Special Education Administrator of County Offices (SEACO) Activities, Angela McNeece, Past Chair, Special Education Administrator of County Offices (SEACO)

SEACO is currently meeting and the focus of their meeting is classroom based curriculum and instruction for increasing student achievement and staff development. Revised SEACO Bylaws were adopted by SEACO on November 22, 2002. The SEACO Web Page is www.ccsesa.org/spsse/seaco. SEACO is reformatting the curriculum to include CAPA Core Curriculum Access Functional Performance Indicators. Revisions are anticipated to be completed by Summer 2003. SEACO in conjunction with CCSESA has developed a letter of concerns regarding the CAPA that is being addressed to Alice Parker. SEACO also is recommending 2 nominations to serve on the ACSE, Larry Belkin and Mike Grimes. Staff Liaison will send information about the ACSE appointment process.

REPORT: Special Education Local Plan Area (SELPA) Activities, Maureen Burness, Assistant Superintendent, Placer/Nevada SELPA

Maureen discussed concerns about the budget proposal and County Mental Health response as well at issues regarding SELPA size and scope standards.

REVIEW: Individuals with Disabilities Education Act (IDEA) Reauthorization Summit

5 of the commissioners attended the Summit.

Catherine Garbacz felt that the common interest is the kids. Jim Woodhead stated that the summit was a heroic endeavor to bring all of these folks together and hopes they will come back. Angela Hawkins was in the full funding group and found no disagreement over need for full funding from the feds. Janet Mangini was in the group that focused on student outcomes and success and stated there was a lot of agreement, and their big concern was transition. She felt they should do longitudinal tracking 2-3 years out. Patty Boyle was in the paperwork reduction group and their group had no consensus on any item.

Legislative Debriefing on Capitol visits

The commissioners reported briefly on their visits to the following legislators office:

P. Boyle	Ron Calderon, Robert Dutton, and John Benoit
D. Burns	Fabian Nunez, Mark Ridley-Thomas, Mervyn Dymally and Rudy Bermudez
C. Garbacz	Sam Aanestad, Gil Cedillo, Gene Mullin and Sally Lieber
K. Geller	Patty Berg, Doug La Maifa, Rick Keene and Lois Wolk
A. Hawkins	Shirley Horton, Bonnie Garcia, George Plescia and Todd Spitzer
J. Mangini	Leland Yee, Mark Leno, and Loni Hancock,
B. Monroe	Greg Aghazarian, John Laird, Guy Houston, and Steve Samuelian
J. Woodhead	District 30 legislator, Kevin McCarthy, Bill Maze and Sharon Runner

As there was no further business, the meeting was adjourned at 5:15 p.m.

Friday, January 23, 2002

Commission Members Present

Patty Boyle	Janet Mangini
Don Burns	Barbara Monroe
Patrica Flores-Charter	Jim Woodhead
Catherine E. Garbacz, Vice-Chair	Don Shalvey
Karla Geller	Linda Wyatt
Angela Hawkins, Chair	

Commission Members Absent

Catherine Conrado

Student Members Present

Kevin Verdi

Student Members Absent

Sean Rossall

Legislative Members Absent

Charles Poochigian, Senate Member

Fran Pavley, Assembly Member

Governor's Office, Deputy of Education K-12, Liaison Present

Lynn Lorber

State Board of Education Liaison Absent

Robert Abernethy

Department of Education Staff Present

Dennis Kelleher, Staff Liaison

Stacy Michel, Commission Secretary

Department of Education Staff Present

Ronald S. Kadish, Director
State Special Schools Division

Alice Parker, Executive Secretary
Director, Special Education Division

Department of Education Staff Absent

Alice Parker, Executive Secretary
Director, Special Education Division

Friday, January 24, 2002

CALL TO ORDER

Chair Angela Hawkins called the meeting to order at 8:30 a.m. Commissioners pledged allegiance to the flag. Roll was taken and a quorum was present.

STUDENT MEMBERS' REPORTS

Kevin Verdi is still active in many activities.

REVIEW/APPROVAL OF NOVEMBER MINUTES

M/S/C 03-01-02

MOVE TO APPROVE THE NOVEMBER MINUTES AS CORRECTED.

Boyle/Garbacz

The motion passed unanimously.

PRESENTATION: PROPOSED AMENDMENTS TO IDEA, Glen Fait, Director, Special Education Hearing Office (SEHO)

As Director of the California Special Education Hearing Office, Glen requested that the California Advisory Commission on Special Education consider supporting a number of proposed modifications to federal and State law. SEHO believes that all of the proposed changes will both improve the existing hearing system and ensure that certain elements of the current system are made a part of the law so that they will continue regardless of who provides the mediation and hearing services.

Proposed IDEA Amendment 1

Add the following language at the end of the current 20 U.S.C. Section 1415(f)(3):

"If the school districts within a State are an arm of the State for purposes of immunity under the eleventh amendment of the United States Constitution, and thereby education is a state function, the hearing conducted pursuant to paragraph (1) may not be conducted by any employee of the State."

Proposed IDEA Amendment 2

Add the following language at the end of the current 20 U.S.C. Section 1415(f)(3):

"Prior to conducting special education hearings, a hearing officer must have completed a minimum of 80 hours of training in special education law and programs, administrative procedure, conflict resolution, and negotiation. This training may not be provided by any public educational agency that provides special education services or any public or private organization that derives a significant portion of its revenue from providing products or services (except due process hearing services) to public education agencies, or by persons or organizations that regularly represent parties in special education hearings."

Proposed IDEA Amendment 3

Add a new subsection (4) to 20 U.S.C. Section 1415(f) to read:

(4) Limitations of the length of hearing.

"A hearing officer may set a reasonable limit on the length of the hearing conducted pursuant to paragraph (1) after consideration of the issues for hearing, the level of complexity of the facts to be proven during the hearing, the ability of the parties and/or their representatives to present their respective cases, and estimates by the parties of the time needed to present their respective cases."

Proposed California Education Code Amendment 1

Add the following language to Education Code Section 56505(c) after the first sentence of the existing section:

"All special education hearing officers shall be full-time employees of the organization provided for in section 56504.5 and shall dedicate at least ninety percent (90%) of their working hours to special education disputes."

Proposed California Education Code Amendment 2

Add subsection (k) to Education Code Section 56505:

"To ensure the quality of the decisions rendered by special education hearing officers, each decision shall be reviewed by a senior or supervising hearing officer, prior to the decision being issued, in order to provide feedback to the hearing officer concerning the decisions compliance with the law, consistency with prior decisions, adequacy of reasoning and necessary support for findings of fact and legal conclusions. This review shall in no way interfere with the independence of the hearing officer to issue the final decision that he or she deems appropriate in the case."

Proposed California Education Code Amendment 3

Add subsection (h) to Education Code Section 56505.1

"A hearing officer may set a reasonable limit on the length of the hearing conducted pursuant to paragraph (1), after consideration of the issues for hearing, the level of complexity of the facts to be proven during the hearing, the ability of the parties and/or their representatives to present their respective cases, and estimates by the parties of the time needed to present their respective cases."

M/S/C 03-01-03

**MOVE TO DRAFT A LETTER OF SUPPORT FOR THE PROPOSED AMENDMENTS TO
IDEA AND THE CALIFORNIA STATUTES
SUBMITTED BY THE MCGEORGE SCHOOL OF LAW
Woodhead/Monroe**

The motion passed unanimously.

REPORT: State Special Schools Division, Dr. Ron Kadish, Director, State Special Schools Division

Ron Kadish discussed the transition with the new CDE administration and the new organizational structure for the CDE executive office. A copy of the organization chart of the Department was handed out. A copy can be found on the Departments web site at <http://www.cde.ca.gov/cdeorg.html>. Ron discussed the position cuts that State Special Schools has experience recently: 19 from the three schools and 2 from the division office. The California School for the Blind presents, The American Printing House for the Blind, Inc., Traveling Exhibit The Educational History of Blind People. The exhibit runs from January 13, 2003 to February 13, 2003. The School for the Deaf in Riverside is having its 50th anniversary celebration on February 7th, 2003, at UC Riverside. The Diagnostic Center in Fresno has a new acting Director, Dr. Irene Nystrom. The Diagnostic Center in Southern California is hosting a Positive Environmental Network of Trainers (PENT) Summit along with Northern and Southern California SELPAs.

PRESENTATION: School Medication Regulations Issues, Sharon Thompson, School Nurse, Riverside, Ad Hoc Committee Member of California School Nurses Organization (CSNO)

CSNO primary interest is to keep children safe in school districts with regards to their medication. Proposed amendments are as follows: (The entire document is available at: <http://www.csno.org/>)

Title 5, EDUCATION, Division 1. State Department of Education, Chapter 2. Pupils, Subchapter 3 Health and Safety of Pupils,

Add Article 4.1 to read:

Article 4.1. Administration of Medication At School

§600. Requirements for Prescription Medication Administration.

(A) Received training in the rendering of assistance to the pupil by the pupil's physician or by a trainer mutually agreed

upon by the schoolsite administrator, the parent/guardian, and the pupil's authorized health care provider as being capable of providing the training or by a duly qualified supervisor of health. In situations where potentially emergency medications are to be administered, the designated school personnel responsible for the medication administration shall maintain current nationally recognized certification in cardiopulmonary resuscitation (CPR). If deemed necessary by the individual performing the training, the training may also include instruction from another party, e.g. training to perform cardiopulmonary resuscitation (CPR), whom the trainer determines to be qualified. Medication administration training shall include The training is typically to include in the appropriate administration, handling, and storage of the medication; and

(B) Is documented and supervised as deemed necessary by the individual who performs the training pursuant to paragraph (4)(A). Supervision may shall include, but is not limited to, direct observation and/or periodic communication by telephone or other electronic means, to maintain competency.

(l) "Duly Qualified Supervisor of Health:" a licensed physician and surgeon or a credentialed school nurse, (per Education Code sections 44873 and 44877).

(m) "Emergency medications:" includes but is not limited to epinephrine, glucagon, metered dose inhalers and/or nebulizer treatments.

§601. Requirements for Prescription Medication Administration.

A pupil ~~may~~ **shall** receive medication during the regular school day when all of the following conditions are met:

§602. Written Statement of Authorized Health Care Provider.

(a) The written statement from the pupil's authorized health care provider authorizing the medication shall include all of the following:

- (1) Pupil's name and date of birth;
- (2) Name of the medication, as defined in Section 600(b), to be administered and reason for administration;
- (3) Dose of the medication
- (4) Method of administration, **including whether the medication requires intravenous parenteral (injected) administration**, or a nursing assessment or dosage adjustment prior to administration;

(d) Prior to the first administration of a new medication or when there has been a medication order change, the written statement and the parent consent (as defined in section 603) shall be reviewed by a duly qualified supervisor of health.

(f) A school district shall not require parents/guardians to waive any rights, to hold the school district harmless, or agree to any particular placement or related services as a condition of assisting a pupil in the administration of medication at school.

§604. Persons Authorized To Administer Medication at School.

(a) Medication may / be administered during the regular school day by designated school personnel, including administration by subcutaneous injection. If the designated school personnel are individuals other than school nurses or persons who hold a current professional license authorizing the rendering of assistance to a pupil who is required to take medication, they may not administer medications which the written statement described in section 602 specifies are to be administered intravenously or has the potential for immediate severe adverse reactions that would require a nursing assessment or dosage adjustment prior to administration. "Medication shall be administered during the regular school day by designated school personnel whose licensure or training permits medication administration. Except for emergency medication that they have been specifically trained to administer, designated school personnel who are not school nurses or other licensed health care professionals shall not administer any medication that must be administered parenterally (by injection), has the potential for immediate severe adverse reactions, and/or would require a nursing assessment or dosage adjustment prior to administration. When an Individualized Education Program,

prepared in accordance with applicable provisions of the federal Individuals with Disabilities Education Act and Part 30 (commencing with Section 56000) of the Education Code, or a Section 504 Accommodation Plan, prepared in accordance with applicable provisions of the federal Rehabilitation Act of 1973, provides for the administration of medication to a pupil, those provisions shall be implemented, and nothing in this article shall be interpreted as interfering with the implementation of those

(b) The pupil's parent/guardian or his/her designee may, but shall not be required to, administer medication to the pupil during the regular school day. A parent/guardian who opts to administer medication during the regular school day may do so only under the following conditions:

(1) The parent/guardian administers the medication, or the parent/guardian designates an individual, ***not an employee of the school district***, to administer the medication to his/her pupil during the regular school day, as long as there is no legal reason that would otherwise exclude such individual from being on a school campus or accompanying pupils on an activity as specified in Section 600(a), and the parent/guardian provides a written statement to the school site administrator that identifies the individual who will be administering the medication to the pupil; and

1) Such policies and procedures shall require that the parent, pupil's physician, and/or school nurse, if employed by the district, be consulted in any decision.

(2) Any determination that would not allow the pupil to self-administer his/her medication shall be based on unsafe behavior related to the administration or use of the medication

§ 606. Delivery and Storage of Medication at School

(2) Medications must be delivered to the school-site administrator or the designated school personnel, ***by the parent/guardian or parent designee*** in the container labeled by a licensed pharmacist and in a manner that is consistent with the authorized health care provider's written statement, with a separate labeled container for each medication

(3) Medications that do not require dispensing by a pharmacist, but that are prescribed by the authorized health care provider, must be delivered to the schoolsite administrator or the designated school personnel in the original container, ***by a parent/guardian or parent designee***.

(a) (a) ***Controlled substances, as defined in Section 1300 of Title 21 of the Code of Federal Regulations shall be handled as follows:***

(1) Obtain a list of identified controlled substances by the local Drug Enforcement Agency from any licensed pharmacist in the United States

(2) All controlled substances shall be counted and recorded upon arrival at school by the adult delivering the medication and staff member receiving it and the staff member making such a recordation shall sign the medication log attesting to that entry

(3) Each dose administered shall be recorded and subtracted from the total remaining

(4) Discrepancies shall be referred to administration and appropriate law enforcement if necessary

(b) Medications are stored in a manner that is secure and maintains their effectiveness.

(1) Some medications must be stored in a refrigerator to maintain their effectiveness, others can be stored in a dry cabinet

(2) All medications, in all storage areas, must be locked in a location protected from persons not designated to administer the medications.

§ 610. Medication Provided Pursuant to an Individualized Education Program or Section 504 Plan

~~This article does not apply to the providing of medication to a pupil pursuant to an Individualized Education Program, prepared in accordance with applicable provisions of the federal Individuals with Disabilities Education Act and Part 30 (commencing with Section 56000) of the Education Code, or a Section 504 Accommodation Plan, prepared in accordance with applicable provisions of the federal Rehabilitation Act of 1973.~~

These regulations provide guidelines for all students, including those with Individualized Education Program, prepared in accordance with applicable provisions of the federal Individuals with Disabilities Education Act and Part 30 (commencing with Section 56000) of the Education Code or those with a Section 504 Accommodation Plan, prepared in accordance with applicable provisions of the federal Rehabilitation Act of 1973. Provisions in IEPs and 504 shall take precedence.

§ 612. Applicability of this Article.

~~This article applies to a school district only to the extent that Education Code section 49423 creates an obligation on the part of a local education agency to provide assistance to a pupil who is required to take, during the regular school day, medication prescribed for him or her by an authorized health care provider. Beyond that, this article is exemplary.~~

An additional amendment not in this document would be to add:

§ 603.

(f) A school district shall not require the parents/guardians to waive any rights, to hold the school district harmless, or agree to any particular placement or related services as a condition of assisting in the administration of medication at school.

M/S/C 03-01-04

**MOVE TO DRAFT A LETTER OF SUPPORT FOR THE PROPOSED
AMENDMENTS TO THE MEDICATION ADMINISTRATION GUIDELINES
PROPOSED BY THE CALIFORNIA SCHOOL NURSES ORGANIZATION
Woodhead/Monroe**

The motion passed unanimously.

PUBLIC INPUT: Jan Jones-Wadsworth, Consultant, California Commission on Teacher Credentialing

Held a public hearing at the Commission on Teacher Credentialing in January.

The administrative services credential is being changed and under that structure all the standards are on the CTC website.

As there was no further business, the meeting was adjourned at 11:15.